

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DR. MARKCUS KITCHENS, JR.	:	CIVIL ACTION
	:	
v.	:	NO. 22-3301
	:	
NATIONAL BOARD OF MEDICAL EXAMINERS	:	
	:	

AMENDED FINAL JUDGMENT¹

AND NOW, this 31st day of October 2023, pursuant to Federal Rules of Civil Procedure 52(a)(1) and 58, after trial by judge sitting without a jury, and in accordance with the findings of fact and conclusions of law set forth in the attached Memorandum, the Court finds that Plaintiff Dr. Marcus Kitchens, Jr. has demonstrated that he has a disability as defined by the Americans With Disabilities Act and is entitled to accommodations on the United States Medical Licensing Examination (“USMLE”) in the form of 100% extended testing time as described in the accompanying Memorandum. Accordingly, Plaintiff’s request for injunctive relief in the form of 100% extended testing time on future USMLE attempts is **GRANTED**. However, plaintiff’s request for injunctive relief in the form of expungement of his past USMLE scores is **DENIED**. Judgment is thus entered in favor Plaintiff Dr. Marcus Kitchens, Jr. with respect to future USMLE accommodations and against him with respect to expungement of past UMSLE scores.

/s/ John F. Murphy
MURPHY, J.

¹ We amend our October 31, 2023 Order (DI 96) only to correct the spelling of Dr. Kitchens’s first name, as reflected above.